



BAY AREA TOLL AUTHORITY (BATA)
February 27, 2013
MINUTES

AMY REIN WORTH, CHAIR
Cities of Contra Costa County

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Santa Clara County

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Cities of San Mateo County

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*U.S. Department of Housing
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Cities of Alameda County

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Association of Bay Area Governments

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Cities of Santa Clara County

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Oakland Mayor's Appointee

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*State Business, Transportation
and Housing Agency*

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Solano County and Cities

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San Mateo County

SCOTT WIENER
San Francisco Mayor's Appointee

STEVE HEMINGER
Executive Director

ANDREW B. FREMIER
Deputy Executive Director

Attendance

Chair Amy Rein Worth convened the meeting at 10:32 a.m. In addition to Chair Rein Worth, the following BATA members were in attendance: Alicia Aguirre, Tom Azumbrado, Tom Bates, David Campos, Dorene Giacomini, Scott Haggerty, Anne Halsted, Steve Kinsey, Sam Liccardo, Mark Luce, Jake Mackenzie, Joe Pirzynski, Jean Quan, Bijan Sartipi, Jim Sperring, Scott Wiener, and Vice Chair Dave Cortese.

Chair's Report

Chair Rein Worth presented the report.

Consent Calendar

Upon the motion of Commissioner Haggerty and the second of Commissioner Sperring, the Authority unanimously approved the following items on the Consent Calendar:

- Minutes of the January 23, 2013 Authority meeting
- Draft Minutes of the February 13, 2013 Oversight Committee meeting

BATA Resolution No. 102, Revised - Contribution of Funds to Bay Area Headquarters Authority

Commissioner Liccardo asked what prompted the need to increase revenue for BAHA. Mr. Heminger explained that there were three factors that prompted the increase: 1) seismic retrofit estimates were originally inaccurate 2) the atrium was redesigned to improve interior light, and 3) furniture and fixtures cost, were not originally included.

Commissioner Liccardo asked if the variance in the seismic retrofit cost was due to soil issues or what exactly prompted the inaccurate estimate.

Mr. Heminger deferred to Andrew Fremier, Deputy Executive Director. Mr. Fremier explained that the soil conditions under 390 Main are very good and that the majority of the seismic retrofit cost discrepancy was due to the limited amount of structural information available about the as-built condition of the building at the time of purchase.

Commissioner Quan stated for the record that the City of Oakland had previously stated that seismic retrofit costs for such an old building would be tremendous and that it would have been better to keep MTC in a newer building in Oakland that was seismically safe.

Upon the motion of Commissioner Tissier and the second of Commissioner Kinsey, the Authority unanimously authorized the Authority to increase BATA's contribution from \$167 million to \$215 million to the Bay Area Headquarters Authority (BAHA) for the purchase and renovation of 390 Main Street resulting in a change in the net toll contribution of funds from an estimated \$109 million to an estimated \$141 million.

Contract – Bay Bridge Opening Plan: Hartmann Studios (\$5.6 million)

BATA Oversight Committee Vice Chair Tom Bates moved approval to authorize the Executive Director or his designee to negotiate and enter into a sole source contract with Hartmann Studios in an amount not to exceed \$5.6 million to provide the transportation, operations and public safety services necessary for the celebration of the opening of the new East span of the San Francisco-Oakland Bay Bridge. The motion was seconded by Commissioner Haggerty.

Dave Campbell, Advocacy Director of the East Bay Bicycle Coalition, said that both the East Bay Bicycle Coalition and the San Francisco Bicycle Coalition support the opening event of the San Francisco-Oakland Bay Bridge.

Jim Wunderman, President and Chief Executive Officer of the Bay Area Council, also spoke in favor of the San Francisco-Oakland Bay Bridge opening event.

Mr. Heminger made the Commissioners aware that information provided for them in their packets included all materials related to the bridge opening event from the February 13, 2013 BATA Oversight Committee and a tally of public comment regarding the Bay Bridge opening event, most of which was favorable.

Commissioner Tissier expressed concern over the public expense of the event and suggested that the public be charged to walk the bridge, similar to the bicyclists and marathon runners, with the funds generated to be used to offset BATA's toll expense.

Commissioner Liccardo stated he would like the contractors, who benefited from the project, to consider sponsoring the events. This should happen before BATA commits public dollars.

Vice Chair Cortese asked Mr. Heminger how much would need to be raised over the next 6 months from private sponsors. Mr. Heminger replied that an additional \$3.5 million would need to be raised. Vice Chair Cortese then suggested that the Bay Bridge Alliance seek sponsorship and that any amount over \$3.5 million raised should be split between the Bay Bridge Alliance and BATA.

Commissioner McKenzie stated that he favored a shared approach between public and private funds.

Commissioner Bates was concerned that if the public were charged to walk the bridge that it could become unaffordable for a family to spend \$40 to \$80 to attend the event. He stated that he is not in favor of a fee.

Commissioner Pirzynski spoke in favor of charging to walk the Bay Bridge and would like for the private sector to participate and cover a portion of the cost. He also noted that a fee would help to protect the bridge from being overwhelmed similar to the 50th Anniversary of the Golden Gate Bridge.

Commissioner Quan asked why the Hartmann Studios contract needed to be sole sourced. Mr. Heminger replied that Hartmann Studios was selected by the Bay Bridge Alliance which went through a selection process.

Commissioner Quan stated she would favor charging the bikers and runners a little more in order to reduce the fee for walkers. She also stated that she was now satisfied regarding how the event plan can help support Oakland businesses.

Commissioner Wiener acknowledged the need to commit funds to assure a safe and well planned event. He also would support a fee for walkers, but did not expect it to cover the entire cost of the event. He noted it should be a manageable fee for the public.

Commissioner Haggerty recalled the 50th Anniversary of the Golden Gate Bridge and how the bridge nearly flattened out. He acknowledged the need for public safety, security, and order in the planning for this event. He asked that the Authority also view the event as a potential business opportunity for local vendors.

Commissioner Spering stated that public funds should be expended for public safety, regulated traffic, and sanitation for the day of the event. He is opposed to charging the public to walk the bridge as the public had already spent \$6 billion of tax and toll dollars to build.

Commissioner Luce stated he supports the Bay Bridge event, but that there should be a charge for the walkers of about \$10. He feels this would assure that registered walkers show up and would be a reasonable amount to cover cost. Commissioner Halsted agreed with Commissioner Luce.

Commissioner Campos was concerned that low income families could be excluded from participating at the event if there is a charge, no matter what the amount is.

Jerry Grace, member of the public, stated he also agreed with the Bay Bridge opening event and said the crane accident that he heard about was tragic.

Commissioner Tissier asked for clarification on the fees being charged for bicycling and running events. Mark Guelfi, President of Hartmann Studios, replied that based on market research for similar type events that the bike ride could cost \$35 and that the 10 km run could cost between \$55 and \$65.

Commissioner Haggerty advised the Authority to not recommend that the Bay Bridge Alliance charge a fee for walkers.

Commissioner Liccardo mentioned that the Authority should fashion a celebration after it knows its budget from private sponsors.

Commissioner Tissier stated that it is appropriate to seek private sponsors to defray some of the cost and believes the public would be willing to pay a fee of no less than \$5 to off-set some of the event costs.

Commissioner Tissier then introduced a new motion to charge a fee of not less than \$5.00 for walkers, after which Commissioner Bates withdrew the original motion for the Hartmann Studios contract. Commissioner Tissier subsequently amended her motion after Commissioner Bates introduced a substitute motion that would request staff to come back with a recommendation on whether to charge fees. This motion was also withdrawn.

Commissioner Spering then moved approval of the original motion for the Hartmann Studios contract.

Vice Chair Cortese proposed an amendment to the recommendation that the toll funds proposed on the main item be provided on condition that any private contributions raised by the Bay Bridge Alliance for the East Span Opening events in excess of \$3.5 million be shared equally between the Bay Bridge Alliance and BATA and that the Executive Director be authorized to negotiate an agreement with the Bay Bridge Alliance to this end.

Commissioner Haggerty asked to be excused due to a conflict of interest and then left the room.

Vice Chair Cortese then turned his amendment into a substitute motion. Upon the motion of Vice Chair Cortese and the second of Commissioner Spering, the Authority approved, per the roll call vote requested by Chair Rein Worth, Vice Chair Cortese's substitute motion.

The roll call vote was as follows:

There were 10 Aye votes from Commissioners Aguirre, Campos, Halsted, Kinsey, Mackenzie, Spering, Tissier, Wiener, Chair Rein Worth and Vice Chair Cortese. There were 4 Noes from Commissioners Bates, Liccardo, Luce, and Pirzynski.

Commissioner Haggerty was not present.

Commissioner Quan was absent.

Commissioner Spering then moved that the Authority authorize the Executive Director or his designee to negotiate and enter into a sole source contract with Hartmann Studios in the amount of \$5.6 million to provide the transportation, operations and public safety services necessary for the celebration of the opening of the new East span of the San Francisco-Oakland Bay Bridge. Commissioner Cortese seconded the motion.

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Chair Rein Worth requested a roll call vote:

There were 13 Aye votes from Commissioners Aguirre, Bates, Campos, Halsted, Kinsey, Luce, Mackenzie, Pirzynski, Spering, Tissier, Wiener, Chair Rein Worth and Vice Chair Cortese.

There was one No vote from Commissioner Liccardo.

Commissioner Haggerty was not present and Commissioner Quan was absent.

Commissioner Tissier requested that staff return with a recommendation whether walkers should pay a fee for the bridge walkers, Mr. Heminger agreed.

BATA Resolution No. 104, Revised – BATA Operating and Capital Budget
FY 2012-13

Upon the motion of Commissioner Aguirre and the second of Commissioner Cortese the Authority unanimously approved BATA Resolution No. 104, Revised which changes the BATA Operating Budget by increasing BATA's contribution to the Bay Area Headquarters Authority by \$48.4 million for renovation of 390 Main Street and increasing expenses by \$540,222 for carryover contract encumbrances, and amends the Seismic Retrofit Program Capital budget to allocate \$5.6 million for transportation, operations, and public safety services for the opening celebration for the East San of the San Francisco-Oakland Bay Bridge.

Public Comment/Other Business/Next Meeting/Adjournment

There being no further business, Chair Rein Worth adjourned the meeting at 12:12 p.m. The next BATA meeting is scheduled for Wednesday, March 27, 2013 in Oakland, California.